

Appl. No. 10/574,738
Amdt. Dated April 20, 2009
Reply to Office Action of October 20, 2008

REMARKS

Applicants have submitted this Request for Continued Examination so that the Examiner may consider the alternate claims as modified herein. More specifically, by this amendment, Applicants have modified independent claim 1 to further clarify the subject matter of the present invention. In particular, Applicants have modified independent claim 1 to additionally specify that: the second common channel portion is in direct fluid communication with the individual channels, and the second common channel receives ink directly from the first common channel portion.

Furthermore, Applicants have added new claim 18 which alternately defines the invention and distinguishes over the prior art by specifying that the second common channel is formed on the same substrate as the barrier walls for the individual channels and has a height that is lower than the barrier layer 16 for the individual channels. See, for example, the illustration of Figure 4 and specifically element 32 c.

Applicants respectfully request reconsideration of the prior art rejections set forth by the Examiner under 35 U.S.C. sections 102 and 103. Applicants respectfully submit that the prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicants' presently claimed invention. More specifically, Applicants note that the Examiner's most recent rejection is somewhat inconsistent in regard to the various reference numbers indicated as corresponding to the specified elements of the present invention. Applicants have now modified the claims to clarify the specific relationship between the individual channels and the second common channel and Applicants respectfully submit that in light of these clarifications, the Examiner's previous rejections do not apply because the structures as specified by the Examiner clearly do not correspond with the structures now specified in the claims of the instant application.

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More specifically, the claimed invention as specified in independent claim 1 specifically requires individual channels that are formed having barrier walls which define the channels additionally, the claim requires a second common channel that feeds the individual channels and a first common channel that feeds the second common channel. In light of these claim modifications, Applicants respectfully submit that all claims now stand in condition for allowance. Additionally, Applicants respectfully submit that newly added claim 18 is patentably distinct over the prior art because none of the references of record, alone or in combination teach or suggest the formation of a second common channel as specified wherein the height of the second common channel region is lower than the adjacent individual channels formed by the barrier walls on the substrate.

In light of the foregoing, Applicants respectfully submit that all claims now stand in condition for allowance. In the event that it is deemed necessary, the Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-3891.

Date: 4/20/09

Respectfully submitted,

(Reg. #37,607)

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